

COMMITTEE OF BAR EXAMINERS CLOSED SESSION AGENDA ITEM

AGENDA ITEM: **October 2013 – O-301**

DATE: October 3, 2013

TO: Subcommittee on Operations and Management

FROM: Gina Crawford, Director, Administration

SUBJECT: **Proposed Adjustments to Administrative Fees Schedule**

BACKGROUND

The Office of Admissions provides a variety of services for applicants upon request. Effective July 1, 2009, requests for certain services must be submitted on a completed “Application/Document Copy or Administrative Service Request Form” form (Request Form) and accompanied by the administrative fee specified in the Administrative Fee Schedule (Schedule), adopted by the Committee of Bar Examiners and approved by the Board of Governors.

Such services include the reprinting of laptop examination answers, the confirmation of reported Multistate Bar Examination (MBE) scores, and the certification of Multistate Professional Responsibility Examination (MPRE) and MBE scores achieved that are no longer available for certification by the National Conference of Bar Examiners (NCBE).

DISCUSSION

Unsuccessful applicants who want to confirm the MBE score reported to them for the most recent administration of the examination can request a manual handscore of their scantron answer sheets by the NCBE by submitting a completed Request Form to the Office of Admissions with an administrative fee of \$25.

The NCBE will confirm an applicant’s MBE score upon request by the jurisdiction in which the applicant took the MBE. The request must be submitted on the NCBE’s “Request for Verification of MBE Score” form and accompanied by a check issued by the jurisdiction. The fee for this service is currently \$25, up from the initial fee of \$7.65 paid in 2005, which was used as the basis for the \$25 administrative fee that is charged now.

The difference in the fee received from applicants and that paid to the NCBE was initially sufficient to cover incurred expenses associated with the processing of each request, which include staff time and resources to process payments, provide the

requisite applicant information in the required format and notify applicants of the handscore result.

With the most recent increase to the fee charged by the NCBE, there is no differential between what we are charged and what we are paid; the entire administrative fee paid by an applicant is paid to the NCBE and the incurred expenses referenced above are now absorbed by the Office of Admissions.

The NCBE also provides certification of MBE and MPRE scores upon request. However, its new retention policy provides that MBE scores be retained for just seven (7) years and MPRE scores for 15 years. As a result, applicants who took those examinations more than 7 or 15 years ago, respectively, and who wish to provide certification of having passed that examination to another jurisdiction must now either request a certification of their score from the jurisdiction in which they took the examination or take the examination again.

Examination questions and Selected Answers for the examinations administered over the last five years are posted on the Admissions portion of the State Bar's website. When the materials for the most recent year have been published, those posted the longest are removed from the website and therefore, are no longer available free of charge.

Staff maintains a collection of bound and printed copies of archived examination questions and Selected Answers, also known as Study Aids. The archived materials, produced in the State Bar Print Shop and the cost of which is charged back to the Office of Admissions, are available upon request.

RECOMMENDATION

If the Subcommittee agrees that an adjustment in the current Admissions Administrative Fees is warranted, which adjustment is based on what it costs to provide the service, it is recommended that the proposed fee increases provided on the attached schedule be adopted, effective January 1, 2014, subject to the approval of the State Bar's Board of Trustees.

PROPOSED MOTION

Should the Subcommittee on Operations and Management agree with the above recommendation, the following motion would be appropriate:

Move that the proposed adjustments in Administrative Fees as indicated in the Admissions Administrative Fee Schedule attached hereto, be adopted in principle; and that the proposed adjustments be forwarded to the Board of Trustees with a request that they be approved, effective January 1, 2014.